

FILE NO.: Z-8926

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NAME: Ibsen Short-form PD-R

LOCATION: Located at 905 North Spruce Street

DEVELOPER:

Michael Dane Ibsen  
P.O. Box 250565  
Little Rock, AR 72225

SURVEYOR:

Thomas Engineering Company  
3810 Lookout Road  
North Little Rock, AR 72116

AREA: 0.15 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Add a garage with an accessory living quarters

VARIANCES/WAIVERS REQUESTED: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The request is a rezoning from R-2, Single-family to PD-R to allow the construction of a garage with an accessory living quarters on the second level within the rear yard area of this existing home located within Hillcrest. The construction of the garage does not exceed the rear yard lot coverage typically allowed by the Hillcrest Design Overlay District. The lot coverage is 23.8 percent. The Hillcrest DOD allows maximum rear yard lot coverage of 40 percent. The property is zoned R-2, Single-family. To allow the accessory living quarters within the R-2, Single-family Zoning District requires a rezoning or a conditional use permit. The applicant has elected to rezone the site to a PD-R to allow the accessory living quarters.

B. EXISTING CONDITIONS:

This area of Hillcrest contains a mixture of uses including single-family, multi-family, commercial and public institutional uses. Along Kavanaugh Boulevard are restaurants, a grocery, banking and general and professional office uses. To the north of this property is a church, Pulaski Heights Christian Church and west of the property is Mt. St. Mary's School. There are a number of homes in this general area which have been constructed or have been allowed to convert an accessory structure or building into a garage apartment.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All property owners located within 200-feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: Entergy has 3-phase distribution line running parallel to the eastern border of this property. Please contact Entergy prior to any construction to ensure that we agree that code clearances can be met during and after construction of the proposed structure.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. If there are facilities that need to be adjusted and/or relocated contact Central Arkansas Water. That work would be done at the expense of the developer.
3. Contact Central Arkansas Water if additional fire protection or metered water service is required.
4. Contact Central Arkansas Water regarding the size and location of the water meter.

Fire Department: Place fire hydrant(s) per code. Maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: One block from #1 Pulaski Heights Bus Route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Heights/Hillcrest Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. Residential Low Density is for single-family homes at densities no greater than six (6) dwelling units per acre. The applicant has applied for a rezoning from R-2 (Single Family District) to PDR (Planned District Residential) to allow for the development of an accessory structure (with the possibility of being an accessory dwelling) on rear of this site. The site is within the Hillcrest Design Overlay District.

Master Street Plan: Spruce Street is a Local Street on the Master Street Plan. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape: No comment received.

G. SUBDIVISION COMMITTEE COMMENT: (March 12, 2014)

The applicant was present. Staff presented the item stating the item was located within the Hillcrest Design Overlay District. Staff stated the proposed garage exceeded the maximum 40-percent rear yard coverage allowed by the DOD. Staff questioned if the accessory structure would have a finished living space above the garage. Staff also questioned if the accessory structure would have separate meters.

Staff noted the comments from the various other agencies. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised cover letter to staff addressing the issues raised at the March 12, 2014, Subdivision Committee meeting. The original application included a variance from the Hillcrest DOD to allow the proposed garage to exceed the maximum rear lot coverage. Based on comments raised by Entergy to structure has been moved closer to the house and no longer exceeds the allowable rear yard lot coverage. As presently proposed the rear yard lot coverage is 23.8 percent. The Overlay allows 40 percent rear yard lot coverage.

The applicant is requesting the second level of the garage to be allowed to convert to an accessory living quarters in the future. The applicant has also indicated the second structure will not have a separate meter but is requesting to be allowed a second meter in the future should the need arise.

The property is located within the Hillcrest Design Overlay District which has specific development criteria. The ordinance states property, if for any reason, that cannot be developed without violating the standards of the DOD shall be reviewed through the planned zoning district section of the zoning ordinance, with the intent to devise a workable development plan which is consistent with the purpose and intent of the overly ordinance. To allow the accessory living quarters within the R-2, Single-family Zoning District requires a rezoning or a conditional use permit. The applicant has elected to rezone the site to a PD-R to allow the accessory living quarters.

All other aspects of the proposed construction comply with the typical standards of the Hillcrest Design Overlay District. Staff is supportive of the request. Staff does not feel the placement of the garage within the rear yard area with the accessory living quarters will adversely impact the area. The garage is proposed with parking for two (2) vehicles and the existing drive can also accommodate two (2) additional vehicles.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

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PLANNING COMMISSION ACTION:

(APRIL 3, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

There was no further discussion of the item. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.